

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 21-CR-00079-01-DGK
	)	
BYRON WILLIAMS,	)	
	)	
Defendant.	)	

**ORDER ADOPTING MAGISTRATE’S REPORT AND RECOMMENDATION**

On February 10, 2022, and January 23, 2023, the Honorable Magistrate Judge Lajuana M. Counts held hearings regarding Defendant Byron Williams’ competency to stand trial. ECF Nos. 33, 47. At the hearings, Judge Counts heard testimony from Dr. Leticia Armstrong, Psy.D., ECF No. 33, as well as Dr. Lisa Witcher, Psy.D., ECF No. 47. Dr. Armstrong ultimately opined that Defendant was competent to stand trial, ECF No. 33, while Dr. Witcher found the opposite, ECF No. 47. Based on their testimony as well as the other record evidence, Judge Counts wrote a lengthy opinion recommending that the Court find Defendant competent to stand trial. ECF No. 48. Defendant then filed objections to this report and recommendation that quibbled with certain factual findings. ECF No. 50.

In her thorough and well-reasoned opinion, Judge Counts ultimately found Dr. Armstrong’s opinion more credible and consistent with the record as whole than Dr. Witcher’s opinion. ECF No. 48 at 19. And nothing in Defendant’s objections comes close to undermining Judge Counts’ factual findings or legal conclusions on this front. In fact, after reviewing the entire record, the Court agrees completely with Judge Counts’ factual findings and conclusions of law. Thus, Defendant’s objections are **OVERRULED**.

After an independent, de novo review of the record and applicable law, the Court ADOPTS the report and recommendation in its entirety, and the Court finds that Defendant is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assisting in his defense.

**IT IS SO ORDERED.**

Date: April 20, 2023

/s/ Greg Kays  
GREG KAYS, JUDGE  
UNITED STATES DISTRICT COURT